

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X 1:19-cv-1301-RLM
VANESSA WICKHAM,

Plaintiff,

NOTICE OF MOTION

- against -

PHILADELPHIA INDEMNITY INSURANCE COMPANY,

Defendant.

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PLEASE TAKE NOTICE that upon the attached Declaration of SALVATORE J. DeSANTIS, ESQ. dated July , 2019, and upon all papers heretofore had herein, the Defendant, PHILADELPHIA INDEMNITY INSURANCE COMPANY, will move this court, Magistrate Judge Roanne L. Mann, United States District Court, Eastern District of New York 225 Cadman Plaza East Brooklyn, NY 11201, at the United States Courthouse located at 225 Cadman Plaza East Brooklyn, New York 11201, on the ____ day of August 2019, at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order, pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, granting judgment dismissing the plaintiff's Amended Complaint, for failing to meet the policy conditions precedent and, if not the entire action, dismissal of plaintiff's Second and Third Claims for Relief, alleging tortious conduct and violations of GBL §349, respectively, together with such other relief deemed appropriate in the discretion of this Honorable Court.

Dated: July 12, 2019

Yours, etc.

MOLOD SPITZ & DeSANTIS, P.C.
Attorneys for Defendant
PHILADELPHIA INDEMNITY
INSURANCE COMPANY
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